

033004

23026 U.S. PTO

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+

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

647P002Div.

First Inventor

Robert L. Goldsmith

Title

Airlift Membrane Device and Membrane Bioreactor  
and Bioreactor Process Containing Same

Express Mail Label No.

ER 247779845 US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents  
P.O. Box 1450  
Mail Stop: Patent Application  
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **18**]  
(preferred arrangement set forth below)  
-Descriptive title of the invention  
-Cross Reference to Related Applications  
-Statement Regarding Fed sponsored R & D  
-Reference to sequence listing, a table,  
or a computer program listing appendix  
-Background of the Invention  
-Brief Summary of the Invention  
-Brief Description of the Drawings (if filed)  
-Detailed Description  
-Claim(s)  
-Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **6** ]
5. Oath or Declaration [Total Sheets **2** ]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of  
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76:☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)of prior application No.: 10/261,107Prior application information: Examiner Barry, Chester T.Group Art Unit: 1724For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under  
Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.  
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**

Name Kevin S. Lemack

Nields &amp; Lemack

Address 176 E. Main Street - Suite 7

City Westboro

State

MA

Zip Code

01581

Country US

Telephone

508-898-1818

Fax

508-898-2020

Name (Print/type) Kevin S. Lemack

Registration No.  
(Attorney/Agent)

32,579

Signature

Date

March 30, 2004

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the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC  
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Washington, DC 20231.

23026 U.S. PTO  
033004

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 385.00

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	Robert L. Goldsmith
Examiner Name	
Art Unit	
Attorney Docket No.	647P002Div.

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

14-0930

Nields & Lemack

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	385.
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ ) 385.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
9	-20** = 0	9	0
1	-3** = 0	43	0
Multiple Dependent		145	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ )

## SUBMITTED BY

Name (Print/Type) Kevin S. Lemack

Registration No.  
(Attorney/Agent)

32,579

(Complete if applicable)

Telephone 508-898-1818

Signature

Date

March 30, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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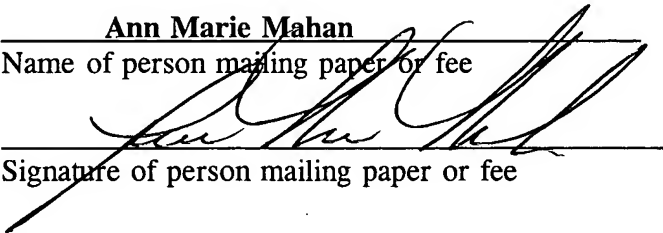
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert L. Goldsmith  
Serial No. : Not yet assigned  
Filed : Herewith By Express Mail  
For : AIRLIFT MEMBRANE DEVICE AND MEMBRANE  
BIOREACTOR AND BIOREACTOR PROCESS CONTAINING  
SAME  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 647P002Div.  
Type of paper : Fee Transmittal Form, together with a check

"EXPRESS MAIL" MAILING LABEL NO. **ER 247779845 US**  
DATE OF DEPOSIT: March 30, 2004

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, **Mail Stop: Patent Application**, Alexandria, VA 22313-1450.

Ann Marie Mahan  
Name of person mailing paper or fee

  
Signature of person mailing paper or fee

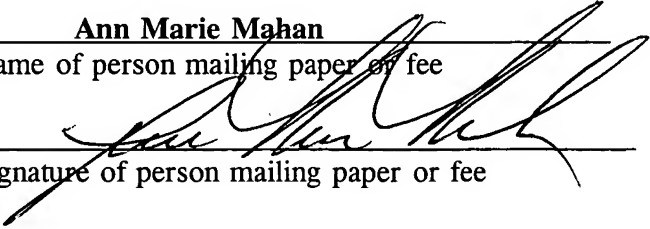
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BIOREACTOR AND BIOREACTOR PROCESS CONTAINING  
SAME  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 647P002Div.  
Type of paper : Preliminary Amendment

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DATE OF DEPOSIT: March 30, 2004

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Ann Marie Mahan  
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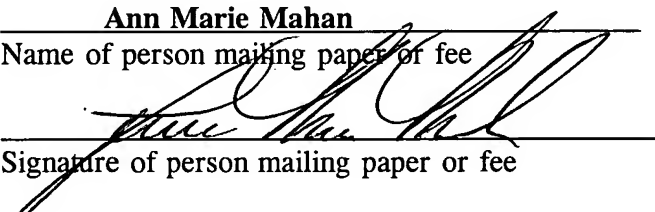
  
Signature of person mailing paper or fee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert L. Goldsmith  
Serial No. : Not yet assigned  
Filed : Herewith By Express Mail  
For : AIRLIFT MEMBRANE DEVICE AND MEMBRANE  
BIOREACTOR AND BIOREACTOR PROCESS CONTAINING  
SAME  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 647P002Div.  
Type of paper : Letter

"EXPRESS MAIL" MAILING LABEL NO. **ER 247779845 US**  
DATE OF DEPOSIT: March 30, 2004

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Ann Marie Mahan  
Name of person mailing paper or fee  
  
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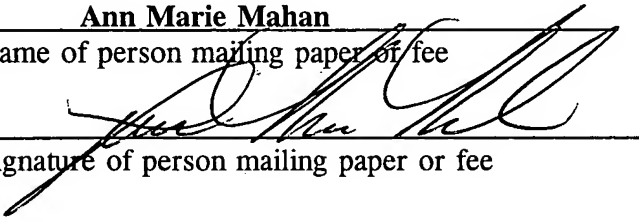
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert L. Goldsmith  
Serial No. : Not yet assigned  
Filed : Herewith By Express Mail  
For : AIRLIFT MEMBRANE DEVICE AND MEMBRANE  
BIOREACTOR AND BIOREACTOR PROCESS CONTAINING  
SAME  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 647P002Div.  
Type of paper : Utility Patent Application Transmittal Form

"EXPRESS MAIL" MAILING LABEL NO. **ER 247779845 US**  
DATE OF DEPOSIT: March 30, 2004

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, **Mail Stop: Patent Application**, Alexandria, VA 22313-1450.

Ann Marie Mahan  
Name of person mailing paper or fee

  
Signature of person mailing paper or fee

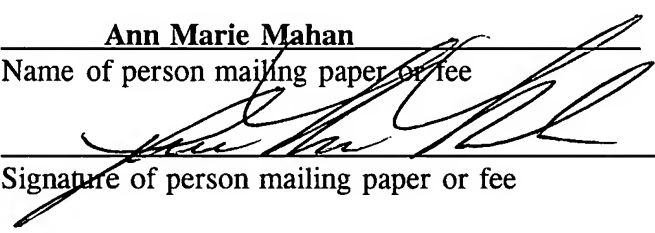
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert L. Goldsmith  
Serial No. : Not yet assigned  
Filed : Herewith By Express Mail  
For : AIRLIFT MEMBRANE DEVICE AND MEMBRANE  
BIOREACTOR AND BIOREACTOR PROCESS CONTAINING  
SAME  
Examiner : Not yet assigned  
Art Unit : Not yet assigned  
Attorney  
Docket No. : 647P002Div.  
Type of paper : **Divisional Patent Application**

"EXPRESS MAIL" MAILING LABEL NO. **ER 247779845 US**  
DATE OF DEPOSIT: **March 30, 2004**

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, **Mail Stop: Patent Application**, Alexandria, VA 22313-1450.

**Ann Marie Mahan**  
Name of person mailing paper or fee

  
Signature of person mailing paper or fee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Robert L. Goldsmith**

For: **AIRLIFT MEMBRANE DEVICE AND MEMBRANE BIOREACTOR AND  
BIOREACTOR PROCESS CONTAINING SAME**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:


LETTER

The above-identified applicant enclose for filing a Divisional patent application entitled "**AIRLIFT MEMBRANE DEVICE AND MEMBRANE BIOREACTOR AND BIOREACTOR PROCESS CONTAINING SAME**". Said attached Divisional patent application includes (1) Utility Patent Application Transmittal Letter (1-Page); (2) Divisional Patent application: 18-page Specification (including 2-Pages of Claims (9) and 1-Page Abstract), 6-Sheets of A4 size drawings and a copy of the executed Declaration and Power of Attorney (3-Pages) that was filed in prior application serial no. 10/261,107; (3) Preliminary Amendment (3-Pages); and (4) Fee transmittal Form, together with a check in the amount of \$385.00 in payment of the filing fee.

All correspondence concerning this application should be mailed to:

**Kevin S. Lemack  
Niels & Lemack  
176 E. Main Street - Suite 7  
Westboro, Massachusetts 01581**

Respectfully submitted,

  
Kevin S. Lemack  
Attorney for Applicants  
Registration No. 32,579  
Niels & Lemack  
176 E. Main Street  
Westboro, Massachusetts 01581  
TEL: (508) 898-1818

Date: March 30, 2004

**EXPRESS MAIL NO: ER 247779845 US**